

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

KYLE VINCENT JONES,

Plaintiff,

v.

KILOLO KIJAKAZI, Acting
Commissioner of Social Security,

Defendant.

No. 1:22-cv-01388-ADA-BAM (SS)

ORDER REMANDING THE MATTER
PURSUANT TO SENTENCE FOUR OF 42
U.S.C. § 405(g)

ORDER DIRECTING ENTRY OF
JUDGMENT IN FAVOR OF PLAINTIFF
AND AGAINST DEFENDANT

(ECF No. 11)

Plaintiff Kyle Vincent Jones and Defendant Kilolo Kijakazi, Acting Commissioner of Social Security, stipulated to a voluntary remand for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g) on January 27, 2023. (ECF No. 11.) They agree that, on remand, “the Appeals Council will remand the case to an Administrative Law Judge (ALJ) to further develop Plaintiff’s record, offer Plaintiff a new hearing, and issue a new decision.” (*Id.* at 1.) Additionally, “[t]he Appeals Council will instruct the ALJ to consider Plaintiff’s prior unfavorable decision dated January 25, 2019 in accordance with *Chavez v. Bowen*, 844 F.2d 691 (9th Cir. 1988) and Acquiescence Ruling 97-4(9), and obtain supplemental evidence from a vocational expert to clarify the effect of the assessed limitations on Plaintiff’s occupational base and to resolve any conflicts between the occupational evidence provided by the vocational expert

1 and information in the Dictionary of Occupational Titles.” (*Id.* at 1–2.) Finally, the Parties
2 stipulate that judgment shall be entered in favor of Plaintiff and against Defendant, reversing the
3 final decision of the Commissioner. (*Id.* at 2.)

4 Accordingly,

- 5 1. The stipulation of the Parties, (ECF No. 11), is granted;
- 6 2. The matter is remanded for further administrative proceedings under sentence four
7 of 42 U.S.C. § 405(g); and
- 8 3. The Clerk of Court is directed to enter judgment in favor of Kyle Vincent Jones
9 and against Kilolo Kijakazi, the Acting Commissioner of Social Security.

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12 IT IS SO ORDERED.

13 Dated: June 30, 2023

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UNITED STATES DISTRICT JUDGE